

From: [Wessinger-Hill, JoAnne](#)
To: [MATTHEW GISSENDANNER](#); thad@votesolar.org
Cc: [KENNETH BURGESS](#); [Hall, Roger](#); [Grube-Lybarker, Carri](#); [Nelson, Jeff](#); [Pittman, Jenny](#); tspeer@turnerpadget.com; jwkuykendall@jwklegal.com; [PSC_Contact](#); [PSC_Attorneys](#); thad@votesolar.org; [klee](#)
Subject: RE: [External] Re: Re: DN 2020-229-E
Date: Thursday, January 14, 2021 5:44:42 PM
Attachments: [2020-229-E Notice of Virtual Public Night Hearing.CLEAN COPY.docx](#)

Dear Parties:

Attached is the revised DRAFT. Any comments must be provided and received back by 6:30 p.m.

A revised Transmittal Letter will also be forthcoming Matt. Please be aware of that change.

Thank you.

Jo Anne

From: MATTHEW GISSENDANNER <matthew.gissendanner@dominionenergy.com>
Sent: Thursday, January 14, 2021 5:40 PM
To: Wessinger-Hill, JoAnne <JoAnne.Hill@psc.sc.gov>; thad@votesolar.org
Cc: KENNETH BURGESS <chad.burgess@dominionenergy.com>; Hall, Roger <RHall@scconsumer.gov>; Grube-Lybarker, Carri <clybarker@scconsumer.gov>; Nelson, Jeff <jnelson@ors.sc.gov>; Pittman, Jenny <jpittman@ors.sc.gov>; tspeer@turnerpadget.com; jwkuykendall@jwklegal.com; PSC_Contact <Contact@psc.sc.gov>; PSC_Attorneys <PSCAttorneys@psc.sc.gov>; thad@votesolar.org; [klee <klee@selcsc.org>](mailto:klee@selcsc.org)
Subject: [External] Re: Re: DN 2020-229-E

Thank you, Jo Anne. We will await further instruction from the Commission.

In response to Vote Solar's objections, I would simply note that Commission-directed notices provided to customers frequently include what the Company asserts about its filing, i.e., "The Company states..."

And, in regard to the subsidy issue, the Notice as drafted does not make any factual assertion about the existence of a subsidy. Rather the Notice carefully tracks the provisions of Act 62 which requires the tariff be designed to eliminate subsidies to the greatest extent practicable.

Get [Outlook for iOS](#)

From: Wessinger-Hill, JoAnne <JoAnne.Hill@psc.sc.gov>
Sent: Thursday, January 14, 2021 5:22:38 PM
To: Thad Culley <thad@votesolar.org>
Cc: Matthew Gissendanner (Services - 6) <matthew.gissendanner@dominionenergy.com>; Chad Burgess (Services - 6) <chad.burgess@dominionenergy.com>; Hall, Roger <RHall@scconsumer.gov>; Carri Grube-Lybarker <clybarker@scconsumer.gov>; Nelson, Jeff <jnelson@ors.sc.gov>; Pittman, Jenny <jpittman@ors.sc.gov>; tspeer@turnerpadget.com <tspeer@turnerpadget.com>;

jwkuykendall@jwklegal.com <jwkuykendall@jwklegal.com>; klee@selcsc.org <klee@selcsc.org>; PSC_Contact <Contact@psc.sc.gov>; PSC_Attorneys <PSCAttorneys@psc.sc.gov>; Hall, Roger <RHall@scconsumer.gov>; Carri Grube-Lybarker <clybarker@scconsumer.gov>; Chad Burgess (Services - 6) <chad.burgess@dominionenergy.com>; Matthew Gissendanner (Services - 6) <matthew.gissendanner@dominionenergy.com>; Nelson, Jeff <jnelson@ors.sc.gov>; Pittman, Jenny <jpittman@ors.sc.gov>; tspeer@turnerpadget.com <tspeer@turnerpadget.com>; Thad Culley <thad@votesolar.org>; jwkuykendall@jwklegal.com <jwkuykendall@jwklegal.com>; jwkuykendall@jwklegal.com <jwkuykendall@jwklegal.com>; klee@selcsc.org <klee@selcsc.org>
Subject: [EXTERNAL] RE: [External] Re: DN 2020-229-E

This is an EXTERNAL email that was NOT sent from Dominion Energy. Are you expecting this message? Are you expecting a link or attachment? DO NOT click links or open attachments until you verify them

Dear Parties:

We will be emailing another copy of the Notice and request that parties respond within the hour.

Thank you.

Jo Anne Wessinger Hill

From: Thad Culley <thad@votesolar.org>
Sent: Thursday, January 14, 2021 5:12 PM
To: Wessinger-Hill, JoAnne <JoAnne.Hill@psc.sc.gov>
Cc: matthew.gissendanner@dominionenergy.com; chad.burgess@dominionenergy.com; Hall, Roger <RHall@scconsumer.gov>; Grube-Lybarker, Carri <clybarker@scconsumer.gov>; Nelson, Jeff <jnelson@ors.sc.gov>; Pittman, Jenny <jpittman@ors.sc.gov>; tspeer@turnerpadget.com; jwkuykendall@jwklegal.com; klee@selcsc.org; PSC_Contact <Contact@psc.sc.gov>; PSC_Attorneys <PSCAttorneys@psc.sc.gov>
Subject: [External] Re: DN 2020-229-E

Good afternoon Jo Anne,

Since this request for language was directed to Attorneys Gissendanner and Burgess, I did not feel compelled or invited to weigh in on the contents of the notice. Now that the notice has been published, I do feel compelled to express my concern regarding the contents of the notice to the extent that it expresses advocacy positions and factual assertions by Dominion that remain open questions in this proceeding. My concern is that the presence of the PSC's seal on this document creates the impression that these are the Commission's own words, assertions, or findings.

My request is to rescind the notice and upon re-issuance to: (1) make clear that the language provided is from Dominion and does not represent the views or findings of the Commission and (2)

strike any portions of the notice that make factual assertions regarding the existence of a subsidy or the degree to which the solar choice metering proposal does or does not mitigate the same.

I would be happy to draft a formal letter request providing a redline or identifying objectionable portions of the notice in greater detail. Please advise.

Thad Culley

Counsel for Vote Solar

On Thu, Jan 14, 2021 at 12:32 PM Wessinger-Hill, JoAnne <JoAnne.Hill@psc.sc.gov> wrote:

Attorneys Gissendanner and Burgess:

Please provide the following information as soon as possible – but not later than 4:30 p.m. today -- related to the Solar Choice Metering Tariff, DN 2020-229-E, which will be incorporated in the Notice to customers:

1. A signal to the reader of the Additional Notice in the heading or caption including words to indicate specifically the type of adjustment or impact the filing could potentially have on customers. See guidance provided in Order No. 2019-214;
2. A summary or explanation of the Solar Choice Metering Tariff proposed by DESC to include the rates and charges proposed (Subscription fee and any minimum charges); and
3. A summary or explanation of how the proposal impacts existing net metering customers and non-participating customer.

Thank you.

Jo Anne

Jo Anne Wessinger Hill

C. Jo Anne Wessinger Hill, Esq.
General Counsel to the Commission
Public Service Commission
State of South Carolina

101 Executive Center Drive, Suite 100
Columbia, SC 29210

www.psc.sc.gov

Email: JoAnne.Hill@psc.sc.gov

803-896-5100 (main) | 803-896-5188 (f) | JoAnne.Hill@psc.sc.gov

The information contained in this e-mail message is public and will be filed in the Docketing Management System (DMS) for the corresponding docketed matter. Any responsive e-mail message by you should also be filed by you in the DMS for this matter. **If the reader of this message does not want certain information, which is meant to be discussed only between the parties and not Public Service Commission of South Carolina (Commission) staff, please do not use “reply all” to this message.** Any e-mail message involving the Commission or Commission staff is also subject to the provisions of Commission Order No. 2019-748 in Docket No. 2019-329-A and shall be published in the docket for this matter. If you have received this communication in error, please immediately notify us by telephone at (803) 896-5100.

--



Thad Culley

Sr. Regional Director and Regulatory Counsel, Southeast

Vote Solar

thad@votesolar.org | [504.616.0181](tel:504.616.0181)



CONFIDENTIALITY NOTICE: This electronic message contains information which may be legally confidential and or privileged and does not in any case represent a firm ENERGY COMMODITY bid or offer relating thereto which binds the sender without an additional express written confirmation to that effect. The information is intended solely for the individual or entity named above and access by anyone else is unauthorized. If you are not the intended recipient, any disclosure, copying, distribution, or use of the contents of this information is prohibited and may be unlawful. If you have received this electronic transmission in error, please reply immediately to the sender that you have received the message in error, and delete it. Thank you.